

Remarks

Applicants respond to an Office action dated 06/14/2007.

Applicants appreciatively note that the Office Action Summary recites that claims 1 – 8 and 18 – 20 are allowed, but point out that the Examiner on page 6 of the Detailed Action states that Claims 1 – 8 and 18 appear to be in condition for allowance. Applicants understand that since no rejection or objection to claims 19 and 20 is mentioned in the detailed action, the Examiner intended to state that claim 1 – 8 and 18 – 20 were in condition for allowance and respectfully requests clarification if this understanding is in error.

Rejection under 35 U.S.C. § 112, first paragraph:

The Examiner has maintained the rejection of claims 9 – 17 and asserts that while the application is enabled for treating certain diseases (learning deficit, cognition deficit, attention deficit, memory loss, or Attention Deficit Hyperactivity Disorder, schizophrenia, mania, manic depression, anxiety, jetlag, smoking cessation, nicotine addiction certain types of pain and ulcerative colitis are mentioned), Applicants have not provided sufficient data to enable the treatment of the full range of diseases encompassed by claim language, “... a condition or disorder arising from dysfunction of nicotinic acetylcholine receptor neurotransmission.”

Applicants disagree and maintain that at the time the application was filed sufficient data was provided to enable a person skilled in the art to practice the invention without undue experimentation. However, notwithstanding the foregoing, and solely to expedite allowance of this application, Applicants have cancelled claims 9 through 17, inclusive, and reserve the right to pursue claims to such subject matter in a future continuation application or applications.

Conclusion:

Applicants believe the claims as amended herein are in condition for allowance and respectfully solicit a Notice of Allowability and a Notice of Allowance and Issue Fee Due.

Respectfully submitted,

Dated: November 14, 2007

By:___/ Kenneth F. Mitchell /_____
Kenneth F. Mitchell, Ph.D., J.D.
Attorney for Applicants
Reg. No. 42,007
Telephone: 302/886-7466